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Message Text

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43
ACTION EB-07

INFO OCT-01 EUR-12 NEA-09 IO-10 ISO-00 DODE-00 NSAE-00

TRSE-00 CIAE-00 COME-00 MC-02 ACDA-05 AID-05 /051 W
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FM USMISSION IAEA VIENNA
TO SECSTATE WASHDC PRIORITY 5721
INFO AEC GERMANTOWN PRIORITY
AMEMBASSY OTTAWA
AMEMBASSY BONN
AMEMBASSY NEW DELHI

C O N F I D E N T I A L IAEA VIENNA 3342

E.O. 11652: GDS
TAGS: TECH, IAEA, IN, FRG, CAN, US
SUBJECT: POSSIBLE SHIPMENT OF ZIRCALLOY TUBES TO INDIA

1. CANADIAN COUNSELLOR (HAMMOND) INFORMED MISSION TODAY THAT FRG HAD APPROACHED CANADA CONCERNING 30 THOUSAND ZIRCALLOY TUBES (EITHER OF US ORIGIN OR FABRICATED FROM ZIRCALLOY OF US ORIGIN) NOW LOCATED IN FRG. ACCORDING TO HAMMOND'S INFORMATION, FRG CLAIMS THAT "THROUGH A SERIES OF ERRORS" US EXPORT LICENSE (FOR EITHER TUBES OR METAL) "CONTAINED NO LIMITATION ON RE-EXPORT OF THESE TUBES TO INDIA" WHICH FRG PRESENTLY CONSIDERING. ALLEGEDLY, TUBES WOULD BE DESTINED FOR RAPP FACILITY AND THEREFORE FRG WOULD LIKE TO HAVE TUBES PLACED ON INVENTORY OF CANADA/IAEA/INDIA TRILATERAL COVERING RAPP. USE OF RAPP TRILATERAL FOR SUPPLIER FROM THIRD COUNTRY REQUIRES AGREEMENT OF CANADA, INDIA AND IAEA.

2. HAMMOND REPORTS THAT SINCE CANADIANS HOPE TO NEGOTIATE NEW AND IMPORVED RAPP TRILATERAL AND, AS FIRST STEP TOWARD THAT END, ARE ALREADY DISCUSSING NEW BILATERAL WITH INDIA WHICH WOULD APPLY TO RAPP, THEY ARE RELUCTANT TO AGREE TO UTILIZE PRESENT "SUBSTANDARD" TRILATERAL FOR FRG SHIPMENT. CANADIANS DO NOT FORESEE FURTHER SHIPMENTS FROM
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CANADA OF ITEMS TO BE ADDED TO INVENTORY PRESENT TRILATERAL.

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3. HAMMOND ADDED THAT CANADIANS MAY CONSULT WASHINGTON SHORTLY REGARDING TERMS OF RELEVANT US ZIRCALLOY EXPORT LICENSE. HE STRESSED THAT FRG WILL AWARE THAT SUPPLY OF ZIRCALLOY TUBES TO INDIA FROM FRG REQUIRES UNDER NPT SUPPLIERS ARRANGEMENTS OF AUGUST, 1974, ASSURANCE TO FRG THAT NUCLEAR MATERIAL USED, PROCESSED OR PRODUCED BY US OF TUBES WILL BE SUBJECT TO IAEA SAFEGUARDS. FRG WOULD FIND IN CONVENIENT, OF COURSE, IF ANYTHING FRG SUPPLIED COULD SIMPLY BE ADDED TO INVENTORY OF EXISTING AGREEMENT, THEREBY AVOIDING NECESSITY OF NEGOTIATION OF NEW SAFE-GUARDS AGREEMENT WITH INDIA.

4. IN VIEW OF PAST PERFORMANCE BY INDIA IN NEGOTIATING SAFEGUARDS AGREEMENTS AND DESIRABILITY TO ELIMINATE ANY AMBIGUITY RE "PEACEFUL" USES OR DURATION OF SAFEGUARDS, MISSION RECOMMENDS THAT NO ENCOURAGEMENT BE GIVEN TO USE OF EXISTING RAPP TRILATERAL FOR FRG SUPPLIES. PORTER

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